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UNCLAS ABUJA 000328

SIPDIS

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SUBJECT: NIGERIA: ARTICLE 98 DEMARCHE ON NIGERIA'S
ATTORNEY GENERAL

11. Ambassador and Regional Narcotics and Law Enforcement Officer (RNLEO) met with Attorney General Kanu Agabi on 31 January 2003. In addition to formally introducing the new RNLEO to the Attorney General, the Ambassador delivered a letter on Article 98 Agreements. The AG said he would pass it on to the Solicitor General. In addition, he stated that the GON was looking at this issue and would get back to us. The Ambassador explained the American Service Protection Act and the impact it would have on our robust security assistance relationship as well as the implications of Article 98 Agreements for Nigeria considering its role in peacekeeping. Agabi stated that he would acquaint the President with the matter so that when the Ambassador discussed the issue, the President would know about it.

12. On the issue of the Daniel Ohriunu extradition case before the court, the AG stated that everything was being done to expedite the case, to hear appeals quickly and to punish judges that were found to be corrupt. He further stated that he wanted to be in court himself but couldn't. He directed his assistant to put the matter on his calendar so that as soon as he returned from his trip to New York, he would "take over the matter himself."

The AG also stated that the Chief Judge of the Federal High Court had assured him that she would appoint a Judge to be in charge of hearing all extradition cases. The next hearing on the Ohriunu case is scheduled for 18 and 19 February. The AG hoped his personal intervention would help accelerate the case and get a judgment.

13. The AG, in his usual frank manner, commented that it would be hard to enforce fair elections. He pointed to the primaries stating that he wanted to lower expectations that the elections would be "free and fair" and meet the standards expected of a mature democracy. "You must bear with us", he said, "Nigeria still has a long way to go."

JETER